

Notice of Allowability

Application No.

09/476,334

Applicant(s)

SAITO, MAKOTO

Examiner

Art Unit

Kambiz Abdi

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 15, 2007.
2. ☒ The allowed claim(s) is/are 93-96,99,100,108,109 and 111-115.
3. ☒ The drawings filed on 31 May 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 08/536747.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date February 5, 2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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DETAILED ACTION

1. Prior office actions are incorporated in this office action by reference. Applicant has filed an Amendment After None Final Rejection on 5 January 2005, which has been entered.

- Claims 88-92, 97-98, 101-107, 110, and 116-121 have been canceled.
- No new claims have been added.
- Claims 94, 96, 99, 100, and 111 have been amended.
- Claims 93-96, 99-100, 108-109, 111-115 have been allowed.

2. The Information Disclosure Statement filled on February 5, 2007 has been considered and been entered.

Allowable Subject Matter

3. Claims 93-96, 99-100, 108-109, 111-115 are allowed over the prior art of record.

4. The following is an examiner's statement of reason for allowance:

The closest prior art of record is U.S. Patent No. 5,504,816 to Hamilton et al. U.S. Patent No. 5,509,074 to Choudhury and that of U.S. patent no. 5,381,480 to Butter et al.

Hamilton teaches a method and apparatus for controlling access to digital signals (data) that have been encrypted and transmitted via first and second paths as well as first and second keys for each of the encryption steps that are different from each other. Particularly to a method and apparatus for re-encryption of the digital signal (data) received from a first communication path before it has been transmitted via the second path. Choudhury teaches a method and system for protecting electronically published documents. Choudhury teachings involves receiving a request for documents from a plurality of users, including with the requests unique user identification for each of the plurality of users, authenticating the request with a server, server creating a uniquely encoded document and encrypted, and forwarding the document to authenticated user, which the document has been specifically encoded for. Butler teaches a method and system for decryption of encrypted data based on a first group of cipher blocks based on a first encryption key to a second group of respective cipher blocks based on a second

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encryption key, which the respective cipher blocks of the first and second groups represent the same data.

In regards to claims 93 and 95, the closest prior art of record when taken either individually or in combination with other prior arts of record fails to teach or suggest the step of;

requesting use of said data by presenting a primary user information of the terminal device to said database;

receiving the encrypted data encrypted using a first secret-key together with the first secret-key and a second secret-key from the database;

decrypting said encrypted data to decrypted data using the first secret-key when the encrypted data is displayed;

encrypting the displayed data to re-encrypted data using the second secret-key; and

adding the primary user information to the re-encrypted data.

The re-encryption of the data is done via a secondary key different than the first key and inclusion of the primary user information along with the data re-encryption before the encoded data is transferred from the primary user to a third party. Claims 94 and 96 are dependent upon claims 93 and 95, thus they all have the limitations of independent claims 93 and 95, therefore, they are allowable for that same reason stated above.

In regards to claim 99, the closest prior art of record when taken either individually or in combination with other prior arts of record fails to teach or suggest the step of;

receiving a first secret-key and a second secret-key from the copyright management system;

receiving encoded data via a network, a satellite or a storage medium;

means for decryption said encrypted data to decrypted data by using said first secret-key when said encrypted data is displayed;

re-encryption means for encrypting said displayed data to re-encrypted data by using said second secret-key;

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disposing the first secret-key and the second secret-key when the re-encrypted data is copied or transferred; and

requesting a retransfer of the second secret-key for using re-encrypted data by presenting the primary user information of the terminal device to the copyright management system so that the second secret-key is retransferred;

wherein the copying or transferring of said re-encrypted data is registered in the copyright management system according to the retransfer of said second secret-key.

The request to retransfer of the second secret-key for using re-encryption of data and transfer of such encoded data to a third party and receiving user information of the terminal device by the copyright management so the second secret-key is re-transferred for decryption of the encoded data. Claim 100 is dependent upon claim 99, thus it has all the limitations of independent claim 99, therefore, it is allowable for that same reason stated above.

In regards to claims 108, 109, 111, 114, and 115, the closest prior art of record when taken either individually or in combination with other prior arts of record fails to teach or suggest the step of;

receiving a request of use presenting a primary user information from the primary user terminal;

transferring the primary user information to the copyright management center;

transferring a copyright management program together with the first secret-key for decrypting the encrypted data and the second secret-key for re-encrypting the decrypted data to the primary user terminal via the communication network; and

receiving a request of retransfer of the second secret-key for re-using the re-encrypted data from the primary user terminal.

Request by a primary user that includes primary user information, to transfer the encrypted data to a third party via the primary user terminal, which includes decrypting the data by the first secret key and re-encrypting the data by the second secret key using the copyright management program transferred to the terminal along with a second secret key to re-encrypt the data and a transfer request for transferring the second secret key. Claims 112 and 113 are dependent upon claims 108, 109, and 111, thus they all

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have the limitations of independent claims 93 and 95, therefore, they are allowable for that same reason stated above.

Conclusion

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the examiner should be directed to **Kambiz Abdi** whose telephone number is **(571) 272-6702**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Andrew Fischer** can be reached at **(571) 272-6779**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see

<http://portal.uspto.gov/external/portal/pair>

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

or faxed to:

(703) 305-7687 [Official communications; including After Final communications labeled "Box AF"]

(703) 308-1396 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the Examiner in the

Knox Building, 50 Dulany St. Alexandria, VA.

Kambiz Abdi
Primary Examiner
AU 3621

**KAMBIZ ABDI
PRIMARY EXAMINER**

February 15, 2007